

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

CHARLES L. CADDELL,

Plaintiff,

vs.

HELENA ELDER HOUSING, INC.
a Montana Corporation, et
al.

Defendants.

CV-10-11-H-DWM-RKS

**FINDINGS AND
RECOMMENDATIONS**

Plaintiff, Mr. Charles Caddell ("Mr. Caddell")
filed this action on February 12, 2010. (C.D. 1).

On July 21, 2010, the undersigned ordered the
Plaintiff to file with the Court on or before August
20, 2010, proof of service of summons and complaint on
Defendants, Helena Elder Housing, Inc., Montana

Municipal Interlocal Authority, Bradley A. Fuller, Nora Bauer, Tammy J. Strandberg, Geneva Perrson, Troy McGee, Noal Petty, Jerry McGee, C. Baker, Donald Skidmore, Jamin Grantham, David L. Nielson, Thomas Jodoin, D. Ole Olson, Robert J. Wood, Tim Burton, Ron Alles, Claudia Bagley, James E. Smith, Allen Peura, Matt Elaesser, Robin Shropshire, Paul Cartwright, Allen Hulse, Bruce McCanless, and Tana J. Rygg, or show cause why this case should not be dismissed with prejudice, C.D. 26. To date, Plaintiff has only filed with the Court proof of service on Defendant, Helena Elderhousing, Inc., C.D. 31.

Therefore, **IT IS HEREBY RECOMMENDED** that:

1. Mr. Caddell's claims against Montana Municipal Interlocal Authority, Bradley A. Fuller, Nora Bauer, Tammy J. Strandberg, Geneva Perrson, Troy McGee, Noal Petty, Jerry McGee, C. Baker, Donald Skidmore, Jamin Grantham, David L. Nielson, Thomas Jodoin, D. Ole Olson, Robert J. Wood, Tim Burton, Ron Alles, Claudia Bagley, James E. Smith, Allen Peura, Matt Elaesser, Robin Shropshire, Paul Cartwright, Allen Hulse, Bruce McCanless, and Tana J. Rygg be **DISMISSED WITHOUT**

PREJUDICE;

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO OBJECT**

Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to these Findings and Recommendations within fourteen (14) days of the date entered as indicated on the Notice of Electronic Filing. A district judge will make a de novo determination of those portions of the Findings and Recommendations to which objection is made. The district judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district judge.

DATED this 8th day of September, 2010.

/s/ Keith Strong
Keith Strong
U.S. Magistrate Judge